

Executive Director's Report

May 18, 2004

Announcements

- Two legislative candidates, Linda Wegener and Edward Ableser, were approved for and have received their primary election funding.
- Fund Balance at the end of April was \$14,838,613.
- Congratulations to Commissioner Bardorf on her new position with Gallagher & Kennedy. Also, congratulations to Rebecca Hecksel, Campaign Finance Analyst, on receiving her M.B.A. from ASU.
- If you missed the May 4th broadcast on NPR about Clean Elections, a transcript of the broadcast can be viewed at the following link:
<http://www.azkeepitclean.org/weblog/archives/000012.html>

Candidate Information Update

- There are 233 registered candidate committees and 108 of those candidates are certified participating candidates. The number of candidate phone calls and questions has started to increase as well as the requests for the \$5 qualifying contribution forms.
- The *Participating Candidate Guide* and *Nonparticipating Candidate Guide* are being distributed to candidates as they register their committee and when they attend training classes. Letters were sent to participating candidates and treasurers to remind them to attend a training class.
- The participating candidate and treasurer workshops continue to be well attended. At the last nonparticipating candidate training class on April 28, there were 5 candidates in attendance.
- Developed a list of "Frequently Asked Questions" and those have been posted on the website.
- Met with representatives from the Secretary of State's Office to review the process involved when a candidate files the Application for Funding.

Voter Education

- Debates:
 - Once the legislative districts are established, we will review the debate sponsor locations to ensure that there is debate coverage in all districts.
 - The Sponsors have submitted a tentative schedule for holding the primary election debates. We are now awaiting the legislative districts to ensure that facilities for the debates are in the correct district.
- Candidate Statement Pamphlet:
 - Candidate Statement Submission kit has been posted on the website for candidate to submit their statements; informational flyers have been given to the Secretary of State's Office to distribute to candidates; and to publicize the Candidate Statement Pamphlet submissions, the advertisements will begin to run in the *Capitol Times* starting May 7.

- For the cover design contest, we received over 170 entries by the May 1st deadline. The Commission will be able to select the covers for the primary and general election pamphlets during the May meeting.

Outside Contracts

- The Commission's contract for auditing services was awarded to 2 accounting firms: Miller, Allen & Company and Sarvas, King and Coleman. In the event one firm has a conflict of interest and cannot perform an audit, the Commission has a second firm on contract to perform the audit
- The Commission's contract for public relations/marketing services was awarded on May 17th to "Off Madison Avenue." I have invited some members of the firm to be at the next Commission meeting.

Legal Matters

- In *Association of American Physicians and Surgeons v. Brewer* (challenge to matching funds provision in the Clean Elections Act), the court granted the Clean Elections Institute's Motion to Intervene. With respect to the Plaintiffs Motion for a Preliminary Injunction, the court heard oral argument on Friday, May 7, 2004. The judge did not issue a ruling. Instead, the judge requested all parties submit a brief within 15 days of the hearing regarding a recent 9th Circuit case, *Montana v. Eddleman*, 343 F.3d 1085(2003), and how the case affects the issues in the lawsuit. After the briefs are filed, the judge then might have another hearing.
- In the redistricting litigation, Judge Fields issued an order denying the Independent Redistricting Commission's Motion for a Stay of his prior ruling in which he declared the 2002 legislative maps were unconstitutional and not to be used in 2004. A copy of the order is enclosed in the information items. For the one-party-dominant districts, both the 2002 and the 2004 maps will be considered for Commission action. Once the districts are determined, those one party dominant districts will be used.
- The rule changes were submitted to the Department of Justice for preclearance on March 30th. Because the Justice Department has up to 60 days to make a determination, we anticipate that the rules will be precleared by the end of May. In addition, the rules have been formatted according to the Secretary of State guidelines and submitted for publication in the Arizona Administrative Register pursuant to A.R.S. § 16-956(C).
- In Matt Shaffer's lawsuit, Jay Zweig will meet with the Commission at the May meeting.
- Received our first complaint. Letter sent to alleged violator requesting a response.